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EXAMINER	
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ART UNIT	PAPER NUMBER
2178	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/811,541	UTHE ET AL.	
	Examiner	Art Unit	
	WILLIAM WONG	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 February 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,7,8 and 11-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,7,8 and 11-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This action is in response to the communication filed on February 5, 2008.

- Claims 1-2, 7-8, 11-19 have been amended.
- Claims 5-6 and 9-10 have been cancelled.
- Claims 20-23 have been added.

Claims 1-4, 7-8, and 11-23 are pending and have been examined. Previous objections and to the specification have been withdrawn in view of amendments.

Claim Objections

1. Claims 1, 14, 16, and 18 are objected to because of the following informalities: As per claim 1, 14, 16, 18, there is lack of antecedent basis for "said network node" in "each said network node". "the network nodes" should be replaced with "the plurality of interconnected nodes" for the purpose of consistency and clarity. As claimed, it is unclear whether or not the “network nodes" or “network nodes of interest" are referring to the “interconnected nodes”. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-2, 7-8, 11-21, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slatter (US 2003/0025812 A1) in view of Leshem (US 6,341,310).

As per independent claim 1, Slatter teaches **a method of zooming in/out a current display of a visualization of** resources (e.g. in paragraphs 1-2, 45, and 55-59)**, each said** resource **having zero or more attributes** (e.g. in paragraphs 15-16 and 35-36)**, and each** resource **being a** resource **of interest if it has at least one attribute that matches predetermined criteria** (e.g. in paragraphs 15-16 and 35-36)**, comprising: computing a future display area zoomed in/out from said current display by an initial factor** (e.g. in paragraph 15, *generates crop boundaries for each area of interest* and in paragraph 26-27, *view that area of interest with a level of zoom selected automatically by the image processor* or determined by the user)**; positioning said future display area over said visualization to include the largest possible number of** resources **of interest** (e.g. in paragraph 28, *include as many of the areas of interest as possible*)**; and replacing said current display with a view of said future display area** (e.g. in paragraph 14 and paragraph 29, *shows each of the views in turn*), but does not specifically teach each of said resources representing a **network node**, wherein the visualization of resources includes a visualization of **a network**, **comprising a plurality of interconnected** network **nodes,** each network node having zero or more attributes **related to an operational characteristic or status of said network node, the network**

nodes represented in the visualization by interconnected icons. However, Leshem teaches a visualization of a network comprising a plurality of interconnected nodes (e.g. in abstract and figures 1-3), each a network node having zero or more attributes related to an operational characteristic or status of said network node, wherein a resource representing the network nodes are interconnected icons, each network resource being of interest to the user if an attribute of the resource matches a predetermined criteria (e.g. in column 3 lines 1-3 and 21-30, and figures 1-3). Leshem further teaches zooming in and out of the visualization to allow the user to focus on the resources (icons representing network nodes) of interest (e.g. in column 2 lines 27-32 and 55-57 and figures 1-3). It would have been obvious to one of ordinary skill in the art at the time of invention to apply the zoom techniques of Slatter to the visualization of Leshem for the purpose of allowing the user to automatically focus on the regions of interest.

As per claim 2, the rejection of claim 1 is incorporated and Slatter further teaches **following positioning said future display area, further zooming in/out said future display area until** resources **of interest are proximate at least two edges of said future display area** (figure 2, paragraph 28, and paragraph 50).

As per claim 7, the rejection of claim 1 is incorporated and Slatter further teaches **wherein said** resources **of interest are visually distinguished in said current display** (e.g. in paragraph 25).

As per claim 8, the rejection of claim 7 is incorporated and Slatter further teaches **wherein said** resources **of interest are visually distinguished by displaying indicia of interest associated with said** resources (e.g. in paragraph 25).

As per claim 11, the rejection of claim 1 is incorporated and Slatter further teaches **wherein said** resources **of interest have different degrees of priority, wherein at least one said** resource **of interest has a higher priority than at least one other** resource **of interest** (e.g. in paragraphs 35-36).

As per claim 12, the rejection of claim 11 is incorporated and Slatter further teaches **wherein positioning said future display area to include the largest possible number of** resources **of interest comprises positioning said future display area to include the largest possible number of** resources **having said higher priority** (e.g. in paragraphs 28 and 35-36).

As per claim 13, the rejection of claim 1 is incorporated and Slatter further teaches **wherein, if said future display area cannot include more than one** resource **of interest, positioning said future display area to include the largest possible number of** resources **of interest comprises positioning said future display area such that a single** resource **of interest is centered in said future display area** (e.g. in paragraphs 50).

As per claim 20, the rejection of claim 1 is incorporated and Lesham further teaches **wherein said operational characteristic includes one or more of the network node's type, function, capacity, speed, throughput, or number of downstream resources** (e.g. in column 3 lines 21-30).

As per claim 21, the rejection of claim 1 is incorporated and Lesham further teaches **wherein said current operational status comprises active, inactive, normal, critical, or failed** (e.g. in column 3 lines 21-30).

As per claim 23, the rejection of claim 1 is incorporated and Lesham further teaches **wherein one or more network nodes are simulated** (e.g. in abstract and figures 1-3).

Claims 14 and 15 are claims corresponding to the method claims 1, 2, and 13, and are rejected under the same reasons set forth in connection with the rejection of claims 1, 2, and 13.

Claims 16 and 17 are the system claims corresponding to the method claims 1 and 2, and are rejected under the same reasons set forth in connection with the rejection of claims 1 and 2. Slatter teaches **a display device** (e.g. in paragraph 38)**; memory** (e.g. in paragraph 30)**; and a processor operatively connected to said display device and said memory** (e.g. in paragraphs 14, 30, and 38).

Claims 18 and 19 are the computer readable medium claims corresponding to the method claims 1 and 2, and are rejected under the same reasons set forth in connection with the rejection of claims 1 and 2.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to

> be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slatter (US 2003/0025812 A1) in view of Leshem (US 6,341,310) as applied to the claims above and further in view of Goldberg (US 6,341,183).

As per claim 3, the rejection of claim 1 is incorporated. Slatter teaches **an initial factor** (e.g. in paragraphs 26 and 28), but does not specifically teach **in the range from 115% to 130% for a zoom in, and in the range from 70% to 85% for a zoom out**. However, it was well known in the art at the time the invention was made for a zoom factor to include the range from 115% to 130% for a zoom in, and the range from 70% to 85% for a zoom out. Goldberg teaches zoom ranges from 25% to 800% (e.g. in column 5 lines 63-65), which include the above ranges. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Slatter with those zoom ranges to provide initial zooming in those ranges.

As per claim 4, the rejection of claim 1 is incorporated. Slatter teaches **an initial factor** (e.g. in paragraphs 26 and 28), but does not specifically teach **120% for a zoom in, and 80% for a zoom out**. However, it was well known in the art at the time the invention was made for a zoom factor to include 120% for a zoom in, and 80% for a zoom out. Goldberg teaches zoom ranges from 25% to 800% (e.g. in column 5 lines 63-65), which include the above factors. It would have been obvious to one of ordinary skill in the art at the time the invention was

made to modify the teachings of Slatter with those zoom factors to provide initial zooming in those ranges.

6. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Slatter (US 2003/0025812 A1) in view of Leshem (US 6,341,310) as applied to the claims above and further in view of Ball et al. (US 20030046390 A1).

As per claim 22, the rejection of claim 1 is incorporated, but the combination of Slatter and Leshem does not specifically teach **wherein all network nodes are physical**. However, Ball teaches the above limitation (e.g. in paragraph 62 and figure 1). It would have been obvious to one of ordinary skill in the art at the time of invention to apply the teachings of Slatter and Leshem to the physical network nodes of Ball for the purpose of allowing a user to more efficiently manage a network of computing devices.

Response to Arguments

7. Applicant's arguments filed February 5, 2008 have been fully considered but they are not persuasive.

In response to applicant's argument that Slatter is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Slatter relates to an intelligent

zooming system for a user interface and pertains to the problem of quickly zooming to regions of interest.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). However, it is noted the alleged issues: 1) Slatter operates only on attributes of the image and not of the underlying object; 2) Leshem does not teach a visualization of a network comprising interconnected nodes, the nodes having attributes and being represented by icons. Examiner respectfully disagrees. In regards to the first issue, the image of Slatter represents the underlying object (e.g. face, person, etc). The attributes of the underlying object are reflected in the image (e.g. salient features) and used to intelligently zoom the visualization. Furthermore, Leshem teaches a visualization of a network, which comprises a plurality of interconnected web pages, the web pages having attributes and being represented by icons in the visualization (second issue). See also above rejections. Therefore, applicant's arguments are moot.

As such, the rejection of the claims stands.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5483631 A	Communication network management system for displaying operation states of network elements on a remote display unit	Nagai; Yasuhiko et al.
US 6300966 B1	Method of providing on-screen notification of non-visible alarmed network elements	Gregory; Cameron et al.
US 6437804 B1	Method for automatic partitioning of node-weighted, edge-constrained graphs	Ibe; Oliver et al.
US 6496209 B2	Status display unit using icons and method therefor	Horii; Hitoshi
US 6590587 B1	Monitoring system and method implementing navigation interface logic	Wichelman; James et al.
US 6775694 B1	Method for generating filters designed to avoid risks of breach in interconnected computer networks	Fougerat; Jerome
US 6832271 B1	Systems and methods for monitoring and displaying I/O data for plurality of I/O devices	Ivan; Jason et al.
US 20050044502 A1	Arrangements and methods for visually indicating network element properties of a communication network	Fu, Jennifer Jie
US 6900822 B2	Performance and flow analysis method for communication networks	Germain; Pierre et al.
US 6941359 B1	Method and system for visually representing network configurations	Beaudoin; Luc et al.
US 6963339 B2	Filtering tree map data for tree map visualization	Leah; Robert et al.
US 7113949 B1	Method and system for presenting network-infrastructure information	House; Ron L. et al.
US 7310780 B2	Methods, systems and computer program products for visually tethering related graphical objects	Diering; Stephen M. et al.
US 7360158 B1	Interactive education tool	Beeman; Bonnie

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM WONG whose telephone number is 571-270-1399. The examiner can normally be reached on M-F 8:30-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen S. Hong/
Supervisory Patent Examiner, Art Unit 2178

/William Wong/
Examiner, Art Unit 2178